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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 SHERRIE LYNN BAKER,

11 Plaintiff,

12 v.

13 MICHAEL J. ASTRUE,

14 Defendant.

CASE NO. C12-1278JLR

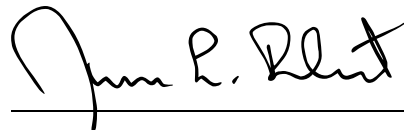
ORDER ADOPTING REPORT
AND RECOMMENDATION

15 This matter comes before the court on the Report and Recommendation (“R&R”)
16 of United States Magistrate Judge Mary Alice Theiler (R&R (Dkt. # 22)). Having
17 carefully reviewed all of the foregoing, along with all other relevant documents, and the
18 governing law, the court ADOPTS the Report and Recommendation (Dkt. # 22). The
19 final decision of the Commissioner is REVERSED and this case is REMANDED to the
20 Social Security Administration for further proceedings not inconsistent with the Report
21 and Recommendation. The Clerk of the Court is directed to send copies of this Order to
22 the parties and to Magistrate Judge Theiler.

1 A district court has jurisdiction to review a Magistrate Judge's report and
2 recommendation on dispositive matters. Fed. R. Civ. P. 72(b). "The district judge must
3 determine de novo any part of the magistrate judge's disposition that has been properly
4 objected to." *Id.* The court reviews de novo those portions of the report and
5 recommendation to which specific written objection is made. *United States v. Reyna-*
6 *Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). "The statute makes it clear that the
7 district judge must review the magistrate judge's findings and recommendations de novo
8 if objection is made, but not otherwise." *Id.* When no objections are filed, the court need
9 not review de novo the report and recommendation. *Wang v. Masaitis*, 416 F.3d 992,
10 1000 n.13 (9th Cir. 2005).

11 Here, neither party has objected to Magistrate Judge Theiler's R&R. (*See* Dkt.)
12 Thus, the court need not review de novo the report and recommendation. *Wang*, 416
13 F.3d at 1000. Moreover, the court has examined the record before it and Magistrate
14 Judge Theiler's R&R and finds the Magistrate Judge's reasoning persuasive in light of
15 that record. Accordingly, the court ADOPTS the R&R in its entirety.

16 Dated this 14th day of May, 2013.

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20 JAMES L. ROBART
21 United States District Judge
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